

**FINDINGS OF FACT FOR THE PRELIMINARY PLAT OF GLENWOOD 2 MINOR
SUBDIVISION APPLICATION LOCATED IN SECTION 24, TOWNSHIP 20 NORTH, RANGE 4
EAST, P.M.M., CASCADE COUNTY, MONTANA**

The Moe Minor subdivision application requesting preliminary plat approval for the Moe Minor subdivision was received on October 2, 2018. It was determined to contain all required components sufficient for adequate review on October 12, 2018 and scheduled for a public meeting for the Cascade County Planning Board on October 30, 2018 pursuant to statutory requirements.

Kristi Holmlund, the personal representative for Barbara Moe (land owner), requests the removal of the agricultural covenant and preliminary plat approval for a single lot that was created by filing a survey with an agricultural covenant. The exemption restricts future use of the property to agricultural purposes and is revocable “only by mutual consent of the governing body and the property owner... (MCA 76-3-201 (1) (f)”. This subdivision application will remove the agricultural use restriction on the property, so it can be developed for residential purposes. The total acreage of the project site is 13.699 acres.

I. PRIMARY REVIEW CRITERIA

Effect on Agriculture

The proposed subdivision is presently undeveloped. It is currently zoned Suburban Residential Two (SR2) and borders Suburban Residential zoned properties to the North that are used for agricultural purposes, a single family residence to the East, property used for agricultural purposes to the West, and residential uses on the two properties that border it to the South. The subdivision will be accessed from an existing county-maintained road, Elk Drive.

The soil is Bitton and Roy soils, 10 to 65 percent and considered farmland of statewide importance.

Effect on Local Services

The proposed subdivision receives law enforcement services from the Cascade County Sheriff's Department and fire protection from the Gore Hill Fire Department.

The parcel's access is from Elk Drive, which will be required to meet county road standards.

Letters requesting comments were sent to the Montana Department of Transportation (MDOT) and the Cascade County Road and Bridge Division.

Effects on the Natural Environment

Subdivision of the site is not expected to create significant surface run-off problems.

Effect on Wildlife and Wildlife Habitat

This subdivision is not expected to have an adverse impact to wildlife or wildlife habitat. A letter requesting comments has been submitted to the Department of Fish, Wildlife, and Parks.

The subdivision will not result in closure of public access to hunting or fishing areas, nor to public lands.

Effect on Public Health and Safety

This subdivision does not appear to be subject to potential natural hazards such as rockslides. Vehicular access to the subdivision will be granted from Elk Drive, an existing county-maintained road. The applicant will need to obtain an approach permit from Cascade County Road and Bridge division.

II. REQUIREMENTS OF MONTANA SUBDIVISION AND PLATTING ACT, UNIFORM STANDARDS FOR MONUMENTATION, AND LOCAL SUBDIVISION REGULATION

The subdivision meets requirements of the Montana Subdivision and Platting Act and the surveying requirements specified in the local subdivision regulations. The subdivider and the local government have complied with the subdivision review and approval procedures set forth in the local subdivision regulations.

III. COMPLIANCE WITH THE CASCADE COUNTY GROWTH POLICY

The proposed subdivision is in general compliance with the Cascade County Growth Policy to preserve and enhance the rural, friendly, and independent lifestyle currently enjoyed by Cascade County's citizens, designing subdivisions so as to minimize the risk of fire, promoting adequate ingress and egress, adequate water supply systems, requiring local review of subdivisions to meet DEQ regulations, and by complying with a weed management plan. The area is not located in a designated Resource Protection Area, Prohibitive Development Area or Conditional Development Area; therefore, those standards are not applicable to the proposed subdivision.

SETBACK STANDARDS

The minimum standards must comply with the Cascade County Zoning Regulations.

SLOPE STANDARDS

Development on slopes exceeding twenty-five percent (25%) is prohibited except where a licensed engineer, with demonstrated experience in the field of slope stabilization certifies that the development will create no slope failure or erosion hazards.

OFF-STREET PARKING STANDARD

All parking in the proposed subdivision will be accommodated on the premises and entirely off street.

RESIDENTIAL DEVELOPMENT STANDARD

The minimum standards must comply with the Cascade County Zoning Regulations.

SOIL EROSION STANDARD

The proposed subdivision should not cause soil erosion or other adverse impacts of runoff on neighboring properties or roads.

SOILS LIMITATIONS STANDARD

Soils that have moderate or severe limitations for the proposed subdivision will be identified and measures to mitigate such limitations will be implemented.

ROAD ACCEPTANCE AND MAINTENANCE POLICY

A waiver of the developer's right to protest an RSID is required by Cascade County to allow the county to impose an RSID on the individual lots of the subdivision for future deterioration and improvements to the roadway if it becomes necessary. A letter has been sent to the County Road Supervisor asking for comments on the proposed subdivision.

FIRE PROTECTION STANDARD

The proposed subdivision receives law enforcement services from the Cascade County Sheriff's Department and fire protection services from the Sand Coulee Volunteer Fire Department. Additional fire protection standards such as a fire prevention cistern is not required for subdivisions of under three (3) lots.

SCHOOL SYSTEM'S CAPACITY STANDARD

Letters were sent to the Cascade County Superintendent of Schools as well as the Great Falls Superintendent of Schools asking for comments about the proposed subdivision, any comments will be sent to the Planning Board and County Commissioners.

EASEMENT FOR UTILITIES

There are no new proposed utilities at this time.

LEGAL AND PHYSICAL ACCESS

Legal and physical access is granted to the site via Elk Drive, a county-maintained road.

IV. OPTIONS AND RECOMMENDATIONS

In making their recommendations and decisions, the Cascade County Planning Board and the Cascade County Commission shall consider the following:

- 1) relevant evidence relating to the public health, safety, and welfare;
- 2) the Cascade County Growth Policy; and
- 3) the provisions outlined in the Cascade County Subdivision Regulations and the Montana Subdivision and Platting Act.

V. DECISION ALTERNATIVES

- 1) Approve the proposed subdivision.

- 2) Approve the proposed subdivision with conditions.
- 3) Table the proposed subdivision for further study.
- 4) Deny the proposed subdivision.